

20. (Unamended) A device fabrication method comprising:  
a step of applying a photosensitive material to an irradiated surface;  
a step of exposing the irradiated surface coated with the photosensitive material via a predetermined pattern by using the exposure apparatus according to claim 19; and  
a step of developing the photosensitive material exposed via the predetermined pattern.

21. (Unamended) The laser oscillating apparatus according to claim 1, wherein said plate member provided above and away from an electromagnetic-wave source.

#### REMARKS

Applicants request an indication of the status of Claim 9, which depends from allowed independent Claim 8.

Favorable consideration and allowance of the present application are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-21 are pending in the present application. Claims 1 and 8 are the independent claims.

Claims 1 and 2 have been amended. No new matter is believed to have been added.

Applicants note with appreciation the indication in the final Office Action dated November 6, 2002 that Claims 8, 11, 13, 15, 19, and 20 are allowed. Also, Claims

2-7 are indicated as containing patentable subject matter and would be allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims. By the present amendment, Applicants have not amended any of Claims 8, 11, 13, 15, 19, and 20. Thus, Applicants submit that Claims 8, 11, 13, 15, 19, and 20 should remain allowable. Applicants have respectfully maintained Claims 2-7 in dependent form because it is believed, for the reasons discussed below, that the base claim is allowable.

By separate paper filed concurrently herewith, Applicants transmit one sheet of correct formal drawings incorporating the change indicated as approved in the aforementioned Office Action.

In the aforementioned Office Action, Claims 1, 10, 12, 14, 16-18, and 21 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,331,994 (Ohmi, et al.). This rejection is respectfully traversed.

In one aspect of the present invention, independent Claim 1 recites features of a laser oscillating apparatus that excites a laser gas by an electromagnetic wave and resonates generated plasma light so as to generate laser light. In the apparatus, plasma is generated in a slit-shaped gap formed along a lengthwise direction of a plate member.

By the aforesaid feature of Claim 1, the strongest portion of the generated electrical field is in the slit-shaped gap. As a result, plasma can be generated in the slit-shaped gap formed along the plate member.

However, Applicants respectfully submit that Ohmi, et al. does not teach or suggest at least the aforesaid feature of independent Claim 1.

In the aforementioned Office Action, the Office takes the position that there is no disclosure of a dielectric member 450 in Ohmi, et al. because Figure 18C is described as not having a dielectric plate. (November 6, 2002 Office Action, page 2). Applicants agree that Figure 18C of Ohmi, et al. does not show a dielectric plate. However, Applicants respectfully disagree that the absence of a dielectric plate in the waveguide shown in Figure 18C means that there is no dielectric member present in that figure.

The Office relies on column 16, lines 8-13 of Ohmi, et al. to support its position. Applicants respectfully submit that, in context with the paragraph in which it is found, as well as the paragraph that precedes it, the relied upon portion of Ohmi, et al. explains that like Figure 19, Figure 18C, illustrates a waveguide having a dielectric member buried in a slot.

Figure 19 shows a waveguide having dielectric members 510 buried in slots 530. (Ohmi, et al., Figure 19). Regarding Figure 19, Ohmi, et al. explains that:

... in the present invention, dielectric members are preferably buried in slots 530 of a slot waveguide 500 without using any dielectric plate, as shown in FIG. 19.

Ohmi, et al., Column 16, lines 5-8. Ohmi, et al. then goes on to explain that:

**When no dielectric plate is used in this manner,**  
microwaves having a very small width are introduced, as  
shown in FIG. 18C.

Ohmi, et al., Column 16, lines 5-8 (emphasis added). Thus, in context, the portion of Ohmi, et al. relied upon by the Office teaches that the waveguide illustrated in FIG. 18C does not use a dielectric plate but does have a dielectric member buried in a slot. This conclusion is buttressed by Figure 18C itself, which illustrates a dielectric member 450 buried in the slot of slot plate 420.

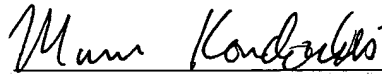
Applicants further submit that the waveguide shown by Figure 18C of Ohmi, et al., --namely a waveguide having a dielectric member buried in a slot, is incapable of generating plasma in the slot of the slot plate 420. Rather, Ohmi, et al. teaches that plasma is generated in the laser chamber 430 just below the slot as the slot plate 420 is oriented in that figure. In contrast, the invention of independent Claim 1 recites that plasma is generated in a slit-shaped gap formed along a lengthwise direction of a plate member.

For the foregoing reasons, Applicants submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as the base claims from which they depend and further due to the additional features that they recite. Separate and individual consideration of each of the dependent claims is respectfully requested.

Applicants submit that the present application is in condition for allowance. Favorable consideration of the claims and an early passage to issue of the present application are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE CLAIMS**

1. (Twice Amended) A laser oscillating apparatus that excites a laser gas by an electromagnetic wave and resonates generated plasma light so as to generate laser light,

wherein [a light emission portion for the] plasma [light] is generated in a slit-shaped gap formed along a lengthwise direction of a plate member.

2. (Twice Amended) The laser oscillating apparatus according to claim 1, further comprising a shielding structure having a shielding wall covering an [said] electromagnetic-wave emission source to emit electromagnetic-waves for exciting the laser gas,

wherein said shielding structure is internally supplied with the laser gas, and wherein an upper surface of said shielding structure comprises said plate member.